

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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NATIONWIDE AFFINITY INSURANCE COMPANY:	:	
OF AMERICA,	:	
	:	20-CV-8156 (JPO) (OTW)
Plaintiff,	:	
	:	<u>ORDER</u>
-against-	:	
	:	
UNITED STATES OF AMERICA,	:	
	:	
Defendant.	:	
	:	
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ONA T. WANG, United States Magistrate Judge:

Plaintiff commenced this action on October 1, 2020. (ECF 1). Judge Oetken referred this case to me for general pre-trial matters on October 7, 2020. (ECF 5). On October 8, 2020, I set an Initial Case Management Conference (“ICMC”) for December 2, 2021. (ECF 6). The ICMC was adjourned because on November 24, 2020, Plaintiff informed the Court that his office “had issues with serving the Defendant due to the COVID Pandemic,” but would serve Defendant that day. (ECF 7). Plaintiff filed a purported proof of service on the docket on December 7, 2020. (ECF 9). After two orders to show cause designed to move the case forward, (ECF 10, 12), Plaintiff realized that they had never properly served Defendant (ECF 13), and now seek additional time to serve Defendant in accordance with Fed. R. Civ. P. 4(i), citing law office error related, in part, to office disruptions caused by the COVID-19 pandemic.

Plaintiff is hereby given one last opportunity to properly serve Defendant. Plaintiff must do so by **October 12, 2021**, and file such proof of service, or I will recommend that the case be dismissed for failure to prosecute.

In the event that Defendant is properly served, the parties shall appear for an **in-person** ICMC on **December 15, 2021 at 10:00 a.m. in Courtroom 20D, 500 Pearl Street, New York, NY 10007**. The parties are directed to refer to the original ICMC, ECF 6, for direction.

SO ORDERED.

Dated: October 5, 2021
New York, New York

s/ Ona T. Wang
Ona T. Wang
United States Magistrate Judge